

REMARKS

This communication is responsive to the Office action dated January 8, 2007. Claims 1–49 are pending in the application. In the Office action, the Examiner restricted the above-identified patent application, requesting election of a single group of claims for prosecution under 35 U.S.C. § 121 and election of a single species. In response, applicant has (1) elected Group I (method claims 1–35), (2) added new method claims 50 and 51 directed to the invention of Group I, (3) canceled claims 36–49, without prejudice, and (4) elected Species 2 (Figure 8).

I. Restriction Requirement

The Examiner required election of one of the following two groups of claims for prosecution:

Group I: Claims 1–35, drawn to a method of bone fixation; OR

Group II: Claims 36–49, drawn to a bone plate.

In response, applicant elects the invention of Group I (corresponding to method claims 1–35) for prosecution in the present application. However, to improve the clarity of the claims, applicant has amended claims 5, 11, 13, 22, and 28–35. Furthermore, applicant has canceled the claims of Group II (claims 36–49), without prejudice, and has added new dependent claims 50 and 51 directed to the elected invention of Group I.

II. Species Election Requirement

The Examiner also required a species election from one of the following:

Species 1: Figure 3;

Species 2: Figure 8;

Species 3: Figure 9;

Species 4: Figure 10; OR

Species 5: Figure 11.

In response, applicant elects Species 2, corresponding to Figure 8. Applicant believes that claims 1, 2, 4-35, 50, and 51 are readable on the elected species of Figure 8.

III. Conclusion

Applicant has responded fully to the restriction requirement. However, if the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact Stan Hollenberg (Reg. No. 47,658) or the undersigned attorney of record, both at 503-224-6655.


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I hereby certify that this correspondence is being submitted to the U.S. Patent and Trademark Office using the United States Patent and Trademark EFS-Web on February 2, 2007.


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Respectfully submitted,

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